

REAL ESTATE COMMISSION
Professional & Vocational Licensing Division
Department of Regulatory Agencies
State of Hawaii

MINUTES OF MEETING

Date: Wednesday, November 10, 1971

Place: Board Room, Department of Regulatory Agencies, 1010 Richards Street,
Honolulu, Hawaii

Present: Douglas R. Sodehani, Chairman
Herbert S. Isonaga, Vice Chairman
Mrs. Mary Savio, Member
William H. C. Young, Member

Sidney Ayabe, Deputy Attorney General
Yukio Higuchi, Executive Secretary

Dr. Edward Laitila, College of Business Administration, U.H.
Wesley Park, Director, Small Business Administration, College of
Business Administration, U.H.

George Morris, Jr., Executive Vice President, Hawaii Association
of Real Estate Boards and Honolulu Board of Realtors

Mrs. Iris Riber, Real Estate Association of Hawaii

Absent: Louis Cannelora, Member
John D. Texeira, Member (at NARELLO Conference)
Hiromu Yamanaka, Member

Call to Order: There being a quorum, Chairman Sodehani called the meeting to order
at 9:15 a.m.

Minutes: Upon motion, the minutes of the October 28, 1971 meeting were
approved as circulated.

Committee Educational Task Force Committee
Reports: Committee Chairman William Young reported that the Educational
Task Force Committee met at the office of the Honolulu Board of
Realtors on November 8, 1971, at 2:00 p.m., to receive and
discuss the proposed rules and regulations submitted by Dr. Laitila.

Dr. Laitila's proposed rules and regulations on education were
distributed, discussed and acted upon by the Commission.

Committee Chairman Young announced that his committee will meet
with Dr. Laitila on Wednesday, November 17, 1971, 2:00 p.m., at
the office of the Honolulu Board of Realtors to try to finalize
the proposed rules and regulations.

Chairman Sodehani announced that public hearings on the proposed
amendments to the rules and regulations will be conducted in the
different counties, and appointed the following members to
conduct the hearings:

Kauai	Texeira and Sodetani
Maui	Sodetani and Savio
Hilo-Kona	Yamanaka and Isonaga
Oahu	All members

Attorney General's Report

Deputy Attorney General Sidney Ayabe reported that the trial on Floyd Kaneshiro had begun and the Judge had indicated in Chambers that he will rule against Kaneshiro and recovery will result from the Real Estate Recovery Fund. The Judge has instructed Ayabe to confer with the Commission to consider a settlement.

Upon motion, the Commission decided against a settlement because they felt that the transaction was purely an investment and not a real estate transaction.

Ayabe also discussed the possibility of a settlement in the suit brought by Fred Haley, Jr., against John P. Chong, deceased.

Upon motion, the Commission authorized the Attorney General to reach settlement in the Chong case for the least possible amount, but in no case to exceed \$6,500.

Rules and Regulations Review Committee

The Commission reconsidered the deferred items in the proposed amendments to the rules and regulations drafted October 19, 1971 and approved the deferred items as further amended.

Business Out of Minutes:

Rentals of Condominium and Cooperative Apartments by Resident Managers

At the request of the Licensing Administrator, the Executive Secretary presented for consideration a draft of the memorandum prepared by the Licensing Administrator to replace the notice approved by the Commission at its October 28, 1971 meeting.

Upon motion, the Commission approved the memorandum as amended by the Commission.

Application of Land-West Development Company

The Commission was advised that Robert Rediske has left Haleakala Realty Corporation effective September 7, 1971 to become the principal broker of Land-West Development Company. The Commission was further advised that Vernon Fung and Henry Ciano (two-third partners in the company), who are licensed as real estate salesmen, will be actively participating in the real estate brokerage business of the firm as salesmen under the supervision of Robert Rediske.

Upon motion, the Commission disapproved the license processing of Land-West Development Company as tentatively authorized by the Licensing Administrator on the basis of Section 467-8(3), H.R.S., which states that no license shall be issued to any copartnership unless every member of the copartnership who actively participates in the real estate brokerage business thereof holds a real estate broker's license.

Application of Action Now Realty

The Executive Secretary advised the Commission that Betsy Christian, a partner in Action Now Realty, has complied with the disciplinary order of the Commission dated October 5, 1970. She has submitted evidence that she has successfully completed the course "Managing the Real Estate Firm" given by Small Business Management Program, University of Hawaii, on October 28, 1971. She has further satisfied the order of the Commission by refraining from acting as an independent or principal broker for a period of one year.

Upon motion, the Commission approved the license processing of Action Now Realty as tentatively authorized by the Licensing Administrator.

Investigations: RE-318 Robert Lucas

The Executive Secretary reported that the findings of facts, conclusions of law, and recommendations of the hearing officers, and the decision and order of the Commission were ready for mailing to the respondent.

RE-447 Parker and Company

As directed by the Commission, the Executive Secretary met with Sanford Parker on November 3, 1971 to discuss the complaint filed by Raymond Correa. Parker has agreed to offer Correa a refund of \$620 (the amount over and above \$1,000), less \$100 for advance rental refunded out of broker's pocket and \$175 for tax payment made out of broker's fund. Parker indicated that he will correspond with Correa who resides in Kona, Hawaii, and he will notify the Commission of his settlement.

RE-455, 456A and 459 Dan Ostrow Construction and Barbara Odor Realty

The Executive Secretary advised the Commission that the hearing notice on Barbara Odor Realty was being drafted for review by the Attorney General. The Commission was requested to drop the charges for violation of Rule 1.10 of the Commission's rules, Section 514-29, H.R.S., and Rule 2 of the Condominium rules, inasmuch as it appears that Barbara Odor is not responsible or chargeable for these infractions.

The Executive Secretary was directed to confer with the Attorney General prior to drafting the charges. The Chair appointed William Young and John Texeira to hear this case.

New Business: LicensingCorporation

Bonded Realty, Inc. - PB, Jack M. Komagome
1030 Smith Street, Honolulu, Hawaii

Corporation License Reinstated

Dolphin, Inc. PB, Clara T. Patterson
Marlin Plaza Bldg.
P. O. Box 969, Kailua-Kona, Hawaii

Branch Office

Pan American Financial Corp., Br. #2 - BIC, Theodore H. Murray
94-226 Leoku Street
Waipahu, Hawaii

Upon motion, the license processing of the above as tentatively authorized by the Licensing Administrator were approved by the Commission.

Other New
Business:

None

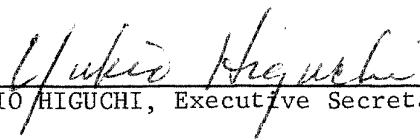
Correspondence: The Chair referred Theodore Di Tullio's letter to the Executive Secretary with instructions to answer the letter for the Chairman.

Announcement: The Chair announced that the January 1972 meeting will be moved up from the last Thursday of the month to facilitate early public hearings on the proposed amendments to the rules and regulations.

Next Meeting
Date: Thursday, December 16, 1971, at 1:00 p.m.

Adjournment: There being no further business, Chairman Sodeani adjourned the meeting at 12:45 p.m.

Recorded by:


YUKIO HIGUCHI, Executive Secretary

YH:va
11/19/71